

REMARKS

Currently Claims 10-11 and 21-24 are pending. Claims 1-9, 12, 13 and 17-20 are cancelled herein. Claims 10-11 are amended to recite a method and to depend from new claim 21. Claims 21-24 are added. Claim 21 recites a method for manufacturing a valve. Support for this claim may be found throughout applicants' specification, including at Figure 1. Claim 22 corresponds to previous claim 2. Support for claims 23-24 may be found throughout applicants' specification, including at Example 2. No new matter is added. Entry of the instant amendment is respectfully requested.

Section 103(a) Rejection Overcome


Claims 1, 2, 6-13 and 17-20 currently stand rejected under 35 U.S.C. §103(a), the Office Action stating that the claims are unpatentable over USPN 5421492 to Barger et al. in view of USPN 6253762 to Britto. The Office Action acknowledges that the Barger is silent with regard to the metering chamber being made from a plastic material which is a mixture of fluorinated polymer and non-fluorinated polymer. The Office Action states that Britto teaches a similar container wherein part or all of the internal metallic surfaces of the aerosol container is coated with a fluorocarbon in combination with one or more non-fluorocarbon polymers, which coating will help reduce or eliminate drug adhesion on the internal surfaces of the container. The Examiner concludes that it would have been obvious to modify the metering chamber of Barger to include the coating of Britto and interprets this combination of these references as teaching a chamber formed from coatings. Applicants' respectfully submit that the instant rejection is not applicable to new method claims 21-24 and 10-11.

While Applicants do not agree with the Examiner's characterization of the combined teachings of the references, claim 21 recites a metering chamber (4) that is the annular chamber defined between a sleeve (14) and a valve stem (7) extending through the sleeve (14). See Fig. 1. Claim 21 also recites that the sleeve is moulded from a plastics material which is a mixture of a fluorinated polymer and a non-fluorinated polymer; and further that the surface of the sleeve which, in use, is in contact with the aerosol formulation in the metering chamber is not coated with a fluorinated material.

The Office action acknowledges that Barger "is silent with regard to the metering chamber [i.e., the sleeve in new claim 21] is made from a plastic material which is a mixture of a fluorinated polymer and a non-fluorinated polymer". Even if the Examiner's assertion, that the teaching of Barger could be modified by including the coating disclosed in Britto (which assertion applicants' do not endorse), the combined teachings of the reference still do not teach or suggest all of the limitations of the method recited in claim 21, since the combined teachings of Barger and Britto neither disclose nor suggest a sleeve moulded from the recited mixture of fluorinated and non-fluorinated polymers wherein the metering chamber is not coated with a fluorinated material. Claims 10-11 and 22-24 are similarly patentable as including all of the limitations of patentable claim claim 21. Accordingly, withdrawal of this rejection is respectfully requested.

All outstanding rejections having been overcome, Applicants respectfully request a Notice of Allowance.

Respectfully submitted:


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